

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

DANIEL J. ERB,	:	
Petitioner,	:	
	:	
v.	:	No. 2:20-cv-3492
	:	
KEVIN KAUFFMAN and DISTRICT	:	
ATTORNEY OF MONTGOMERY COUNTY,	:	
Respondents.	:	

ORDER

AND NOW, this 10th day of August, 2023, after de novo review, for the reasons set forth in the Opinion issued this date, and for the reasons set forth in the Report and Recommendation,

IT IS HEREBY ORDERED THAT:

1. Petitioner's objections, ECF No. 36, to the Report and Recommendation are
OVERRULED;

2. The Report and Recommendation, ECF No. 33, is **ADOPTED in part;**

3. Petitioner's Motion for Summary Judgment, ECF No. 32, is **DENIED;**

4. The petition for writ of habeas corpus, ECF No. 4, is **DISMISSED;**

5. This case is **CLOSED;** and

6. There is no basis for the issuance of a certificate of appealability.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.

JOSEPH F. LEESON, JR.

United States District Judge